

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

STEWART TITLE GUARANTY COMPANY

PLAINTIFF

VS.

CIVIL ACTION NO. 5:07-CV-199 (DCB)(JMR)

J. ALLEN DERIVAUXT, JR.

DEFENDANT

ORDER

This cause is before the Court on the defendant's Motion in Limine to Bifurcate Trial (**docket entry 112**). Having carefully considered the motion, to which no response has been filed by the plaintiff, and being fully advised in the premises, the Court finds as follows:

In his motion, the defendant objects to an untimely assertion by the plaintiff of a claim for punitive damages. The defendant moves that, in the event a punitive damages claim is allowed, the trial be bifurcated so that the issue of punitive damages is tried separately from other issues in the case. Inasmuch as the Court, in an Order of December 28, 2009, granted summary judgment to the defendant on the punitive damages claim, the defendant's present motion is moot. Accordingly,

IT IS HEREBY ORDERED that the defendant's Motion in Limine to Bifurcate Trial (**docket entry 112**) is denied as moot.

SO ORDERED, this the 11th day of January, 2010.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE